

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13435 of 2024

Arising Out of PS. Case No.-265 Year-2022 Thana- TEGHRHA District- Begusarai

Sumit Kumar S/o Bhola Chaudhary R/o vill - Hajipur, Pipra, P.S. - Barauni,
Distt. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Advocate

For the Opposite Party/s : Md. Mushtaque Alam, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 05-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Teghra P.S. case No.
265 of 2022 instituted for the offences under Sections 307,
120(B), 34 of the Indian Penal Code and Section 27 of the Arms
Act.

3. Prosecution allegation, in short, is that while the
informant returning after asset verification, the accused persons,
variously armed, fired at the informant due to which he
sustained injury.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case.



The petitioner is not named in the F.I.R. The name of the petitioner has transpired on the basis of confessional statement of co-accused Yuvraj Kumar @ Sonu recorded in connection with Barauni (Chakia) P.S. case No. 438 of 2022. The petitioner has been remanded in the present case on 24.08.2023 and has as many as nine criminal antecedents. The petitioner has not been put on T.I.P. to ascertain his participation in the alleged occurrence. Co-accused has been granted bail by a Coordinate Bench of this Court vide order dated 17.02.2024 passed in Cr. Misc. No. 7112 of 2024

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Teghra P.S. case No. 265 of 2022 subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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